

EXHIBIT

DATE: 03/01/04
TIME:
LOCATION: 25 Wayne Street, Boston, Massachusetts

OPERATOR: 911, this line is recorded, what is your emergency?

UM: Uh, yes, uh -- I don't want to give my name but I just came from my friend's house and he has somebody up there, he just pulled a gun out on me.

OPERATOR: This person pulled a gun out on you?

UM: Right.

OPERATOR: Okay, and where was this at?

UM: This was at 25 Wayne Street.

OPERATOR: 25 Wayne Street.

UM: Apartment 9. He's there right now.

OPERATOR: Well, are you going to go back there and meet the police?

UM: Well I -- I don't know. I don't want it to be known that I'm the one, you know what I mean?

OPERATOR: Well sir, there's no crime without -- without no victim.

UM: I mean, but he's right there with the gun right now. As we speak. I just left. I'm on Blue Hill.

OPERATOR: Okay, well you need to go back to Wayne Street or meet the police somewhere.

UM: All right, well I don't have to give my name or nothing, do I?

OPERATOR: Well the police are going to have to talk to you so they're going to need to know who they're talking to.

UM: I mean I'll let them talk to me, but I'm not -- it's not like I'm going to go to court or anything, you know what I mean?

OPERATOR: Why did he pull a gun on you?

UM: Because uh -- I guess he didn't want me at the door

or whatever, you know what I'm saying?

OPERATOR: And it was 25 Wayne Street, Apartment 9?

UM: Apartment 9.

OPERATOR: What's the guy's name that pulled the gun?

UM: All I know is -- is Rob. I don't know his last name. Little, short guy. Got on all dark blue. Short haircut. Dark-skinned.

OPERATOR: You said he's dark-skinned?

UM: Dark-skinned and he's short.

OPERATOR: He's short?

UM: Yeah.

OPERATOR: About how much does he weigh?

UM: Um -- probably about 120, 125.

OPERATOR: And what was he wearing?

UM: A blue sweater -- a dark blue sweater and blue jeans.

OPERATOR: Does he have any facial hair?

UM: Uh -- no.

OPERATOR: Any tattoos?

UM: I don't know about tattoos or anything like that.

OPERATOR: Okay. And he was inside?

UM: He's inside the apartment right now.

OPERATOR: So will you go back there in front and meet the police?

UM: Yep.

OPERATOR: Okay. How long will it take you to get there?

UM: I'm right -- I'm at the corner of Wayne and Blue Hill right here at the pay phone.

OPERATOR: Okay.

UM: All right.

OPERATOR: All right.

OP 321: 911, this line is recorded, Operator 321, what is the location of the emergency?

UF: At 25 Wayne Street, there's a fight or something in the hallway of 25 Wayne Street, please come.

OP 321: A fire?

UF: No. A fight.

OP 321: A fight.

UF: A fight. Inside 25 Wayne Street, please come and take care of this problem.

OP 321: Okay, I'm sending -- I'm sending them out. Do you know who's fighting?

UF: No. It just started two minutes ago. Please come, it's an -- it's an emergency. Please.

OP 321: Okay, we're sending them out.

UF: It's in the hallway.

OP 321: Okay.

UF: Enter the building so they can stop the problem, please.

OP 321: Okay -- do they need to -- do they need to get buzzed in there?

UF: Huh?

OP 321: Do they need to get buzzed into the hallway?

UF: They need to go in the hallway and stop the fight because they --

OP 321: No, I'm asking -- are they going to need somebody to buzz them into the building?

UF: The building -- the building's already open. The downstairs door --

OP 321: Okay, they're on their way out there, ma'am.

UF: Thank you. Please stop the fight.

OP 321: They're on their way.

UF: Thank you.

OPERATIONS: Bravo 432, Bravo K02.

U: 2.

OPERATIONS: Getting a call for a person with a gun at 25 Wayne Street. Let me just check out this text here real quick.

OPERATIONS: Okay, yeah, that suspect should be inside of 25 Wayne Street. It's going to be a black male by the name of Rob, dark skin, short, approximately 120 lbs, should be wearing a dark blue sweater and jeans, pulled a gun out on the caller.

U: Ma'am, do you have an age on him?

OPERATIONS: No. Not -- not in this text here. Standby.

OPERATIONS: Be advised it looks here like he -- this caller may be calling from a pay phone. It was the Ed Murray calling from 538 Blue Hill Ave.

U: Okay ma'am, just -- just let anybody know going in there, a Robert Hextall fitting that description, he's up in that area. He lives up on Hutchings up back off of Elm Hill.

OPERATIONS: That's a Rob Hextall that lives up on Hutchings behind Elm Hill?

OPERATIONS: And the caller should be meeting you guys in front of 25 Wayne Street.

OPERATIONS: I couldn't get an age on that suspect and, again, that guy was calling from a pay phone so I couldn't even do a call back.

U: Do we know what number Hutchings?

OPERATIONS: Uh -- units, does anybody know what number

Hutchings?

B453: 453. I'm down at that gas station, there's no one out here.

OPERATIONS: 453, I have that. He should be over -- he said he was going to meet the officers in front of 25 Wayne Street. He thinks that that suspect had gone into apartment 9.

B433: 433. I'm with the victim right here. The caller.

OPERATIONS: Great, where do you have him?

B433: Wayne and Maple.

OPERATIONS: Wayne and Maple, I have it.

U: What was the description again?

OPERATIONS: It was going to be a dark-skinned black male, approximately 120 lbs, should have been wearing a dark blue sweater and jeans. First name Rob.

U: No mention of a hat?

OPERATIONS: No, no mention of a hat.

B433: K02.

OPERATIONS: 2.

B433: This is Bravo 433. K02, I've got the victim, he says the guy living in apartment 9, his name's Rob, and he did show a firearm.

OPERATIONS: Okay units, use caution, apparently this suspect did show a firearm and is supposed to be in apartment 9.

416: 416 is out at 25 Wayne.

OPERATIONS: 416, I'm sorry -- you're at Wayne Street? You guys are stepping on each other. 416, you're on Wayne Street?

416: 416, I'm on Wayne Street.

OPERATIONS: Acknowledged. Somebody else calling in?

BK02: Bravo K02.

OPERATIONS: K02.

BK02: Yeah, can we have a PS to channel 9, please?

OPERATIONS: Bravo PS up to 9, please.

OPERATIONS: Bravo PS monitoring.

U: I'm going up.

OPERATIONS: Bravo K02, you have the Bravo 901 on 9.

OPERATIONS: Bravo K02?

BK02: Sorry.

OPERATIONS: Where did you want the 901? On 7 or 9?

BK02: I have him here, ma'am.

OPERATIONS: Okay, great.

U: 53 out in front, I've got the male and female just came out of the back, are there any units out front?

OPERATIONS: Let's get a unit outside in the front.

U: 53 all set, I've got the wagon with me.

U: Who has our victim?

OPERATIONS: The 433 -- you still have him?

B433: 33, he's in my car up on Maple.

OPERATIONS: How are you guys making out on Wayne Street?

B911: Bravo 911, give us some time.

T531: Tango 531, take me off at Wayne Street as well.

OPERATIONS: Acknowledged.

B416: Bravo 416, we need some help up here.

OPERATIONS: I need some more units to head over to 25 Wayne Street.

OPERATIONS: 416, what do you have going on? Bravo 416?

B416: (Unintelligible) got a gun up here.

OPERATIONS: All right, suspect with a gun, 25 Wayne Street. I need 103 and 201 to head in there as well.

B103: 103, we're en route.

B201: Back en route

U: Call it off, we're under control.

OPERATIONS: Okay, so you guys are all set at 25 Wayne? Units heading to 25 Wayne can slow it down.

OPERATIONS: Operations to any of those units on 25 Wayne, you guys all set?

B416: 25 Wayne, we're all set.

U: Bravo 433, go up to 7.

U: Bravo 433, go up to 7.

OPERATIONS: Bravo 433, go up to 7.

B433: Bravo 433, you calling?

OPERATIONS: Can you go to 7?

B433: Okay.

B433: (Unintelligible) to 7. 103 back up.

103: Okay.